



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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TECHNICAL STAFF REPORT

MASON PROPERTY

Planning Board Meeting of June 6, 2013

Beginning at 7:00 p.m.

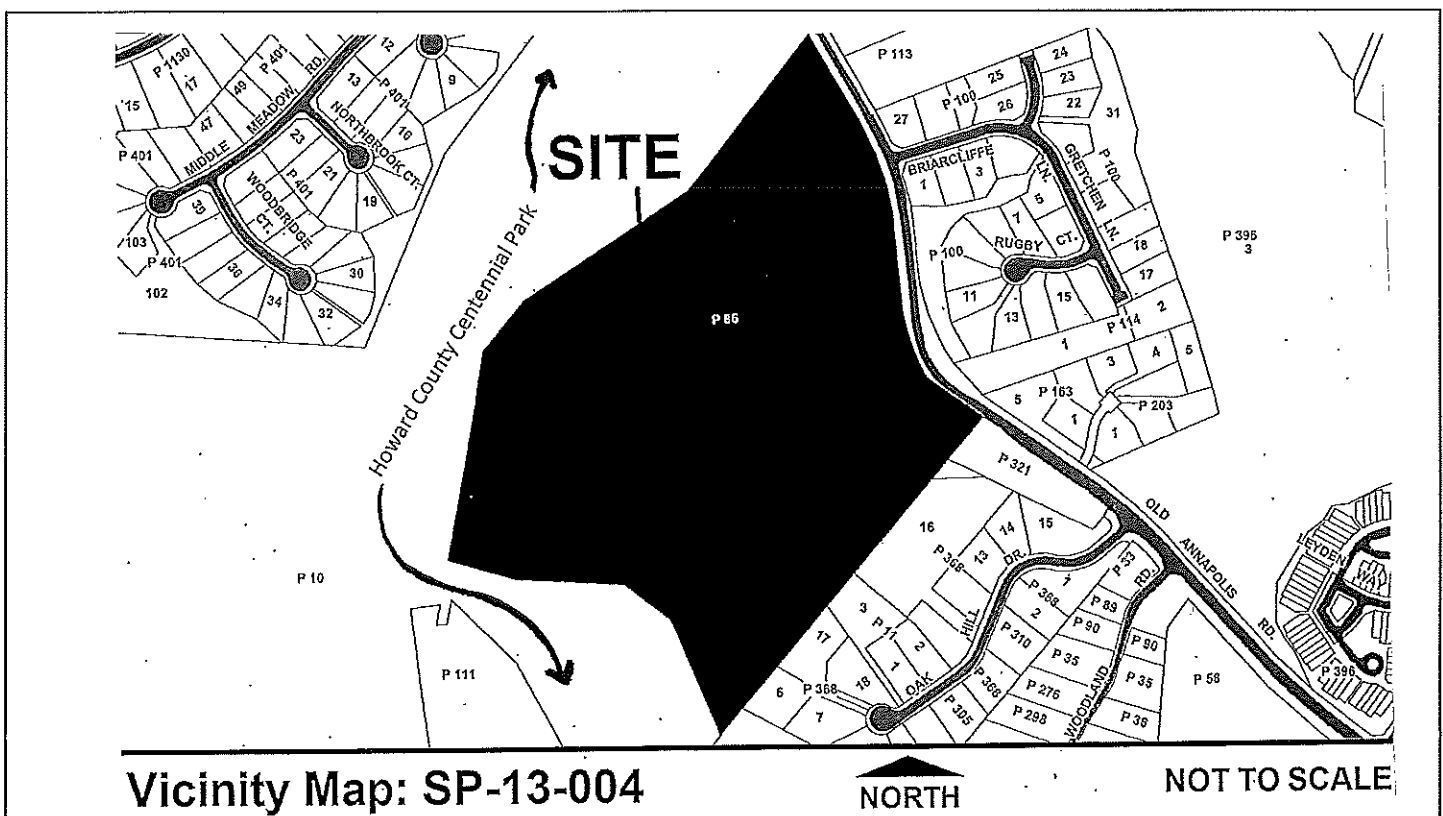
Case No./Petitioner: Planning Board Case No. 399/Mason Property, Lots 1 to 93 and O.S. Lots 94 to 110;
J.Mason Family, LLC and F.W. Mason Family, LLC
c/o Donald Reuer/Land Design and Development

Subject: Preliminary Equivalent Sketch Plan, SP-13-004/Mason Property

Request: For Planning Board approval of a Preliminary Equivalent Sketch Plan (SP-13-004) for the subdivision of 93 single family detached residential lots and 17 open space lots on property zoned "R-20" (Residential-Single). This subdivision plan is being processed for Planning Board approval utilizing Section 108.F.3. of the Howard County Zoning Regulations allowing land within the "R-20" Zoning District to be developed pursuant to Section 107.E. of the "R-ED" Zoning Regulations.

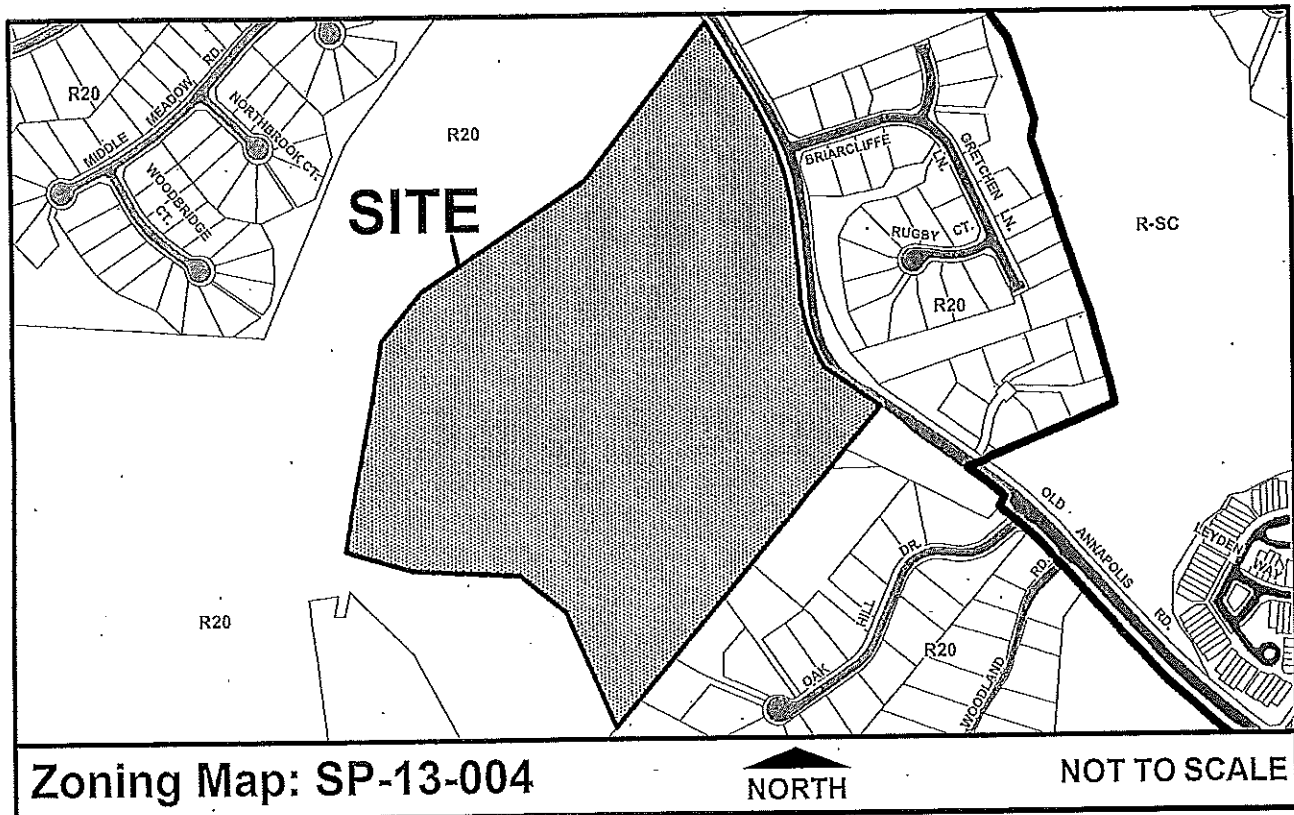
Location: The subject site contains 46.487 acres of land located on the west side of Old Annapolis Road, north of MD Route 108, and identified as Parcel No. 86, on Tax Map 30, situated in the Second Election District of Howard County, MD. This site abuts Centennial Park located to the south and west.

Recommendation: Based upon the review comments, the Department of Planning and Zoning recommends approval of this Preliminary Equivalent Sketch Plan, SP-13-004.



Vicinal Properties:

- To the northwest and south is Parcel 10, zoned R-20 (Residential) and identified as Centennial Park, owned by Howard County, MD. Parkland located to the northwest has been developed with tennis courts and associated parking and consists of a paved pathway from Old Annapolis Road to Centennial Lake situated west of Parcel 86.
- To the east across Old Annapolis Road are residential single family lots of the Briarcliffe Subdivision, zoned R-20 (Residential: Single) which are improved with single family detached dwellings.
- To the south are residential single family lots of the Oak Hill Estates Subdivision, zoned R-20 (Residential: Single) which are improved with single family detached dwellings.

Zoning Map**I. General Comments:**

- Legal Notices:** The subject property was properly posted with one official Planning Board poster for at least 30 days prior to this hearing, and verified by an on-site inspection by staff of the Department of Planning and Zoning. Certification of legal advertisements in two newspapers are on file with this case, verifying the legal requirements were satisfied.
- Regulatory Compliance:** This project is subject to compliance with the amended Fifth Edition of the Subdivision and Land Development Regulations, the Zoning Regulations, the Design Manual, The Adequate Public Facilities Ordinance, the Forest Conservation Manual and the Landscape Manual.

C. General Plan: Development of this site is consistent with the adopted Howard 2030 General Plan, "Established Community" Land Use Designation.

D. Site History:

ECP-12-053 Approved on 6/26/12

SP-13-004, Determined to be technically complete by the Subdivision Review Committee on 3-14-13.

WP-13-096 Waiver to final plat submission to reconfigure two existing parcels and to remove 15 specimen trees. Approved on 1/14/13, by DPZ.

E. Site and Density Information:

Total Gross Site Area	46.487 Ac
Area of 25% or Greater Steep Slopes (Outside of flood plain)	0.460 Ac
Area of 100 Yr. Flood Plain	3.040 Ac
	<u>3.500 Ac</u>
Net Tract Acreage	42.987 Ac
Approximate Limits of Disturbance is 33.6 acres or 72%	
Maximum Density Permitted 2 units per net acres (2 x 42.987 Ac)	85 units
Plus 10% Bonus Density Receiving for Neighborhood Preservation (10% x 85)	8 units*
Total Units Permitted and Proposed	93 units
Area of Open Space Required (50% x 46.487)	23.244 Ac
Area of Open Space Provided	23.503 Ac
(23.324 Ac Credited + 0.179 Ac Non-Credited)	
Area of Recreational Open Space Required (300 sq. ft. x 93)	27,900 sq. ft.
Area of Recreational Open Space Provided	29,500 sq. ft.
Number of Open Space Lots to be Provided	17 lots
Area of Buildable Lots	16.666 Ac
Area of Public Road ROW	6.318 Ac

*In accordance with Sections 108.F and 128.L of the Zoning Regulations, a parcel in the "R-20" Zoning District may be developed as a receiving parcel for additional density in association with Density Exchange for a Neighborhood Preservation Easement area.

F. Site Analysis:

Access and Structures – This site is bounding on the west side of Old Annapolis Road, north of MD Route 108 and adjoins the Centennial Park to the west and south. Access to the subdivision will be provided by two separate public street entrances from Old Annapolis Road. Entrance to the northern portion will be by a public access street (Squirrel Hill Drive) which intersects a second public access street (Mason Court) that terminates into northern and southern cul-de-sacs. The southern entrance will be via a public access street (Wellford Drive) which meanders westward from Old Annapolis Road and circles into a loop. All interior public access streets will be 50' rights-of-way and have sidewalks constructed on at least one side which will extend to and along the entire frontage of Old Annapolis Road, a Major Collector. Two existing dwellings are located on the site which are to remain. One dwelling will be located on Lot 72 which will contain 14,300 sq. ft., and an historic home identified as HO 401, Squirrel Hill, will be located on Lot 79 which will be approximately 16,500 sq. ft. in size. No other historic structures, cemeteries or grave sites are located on the subject site.

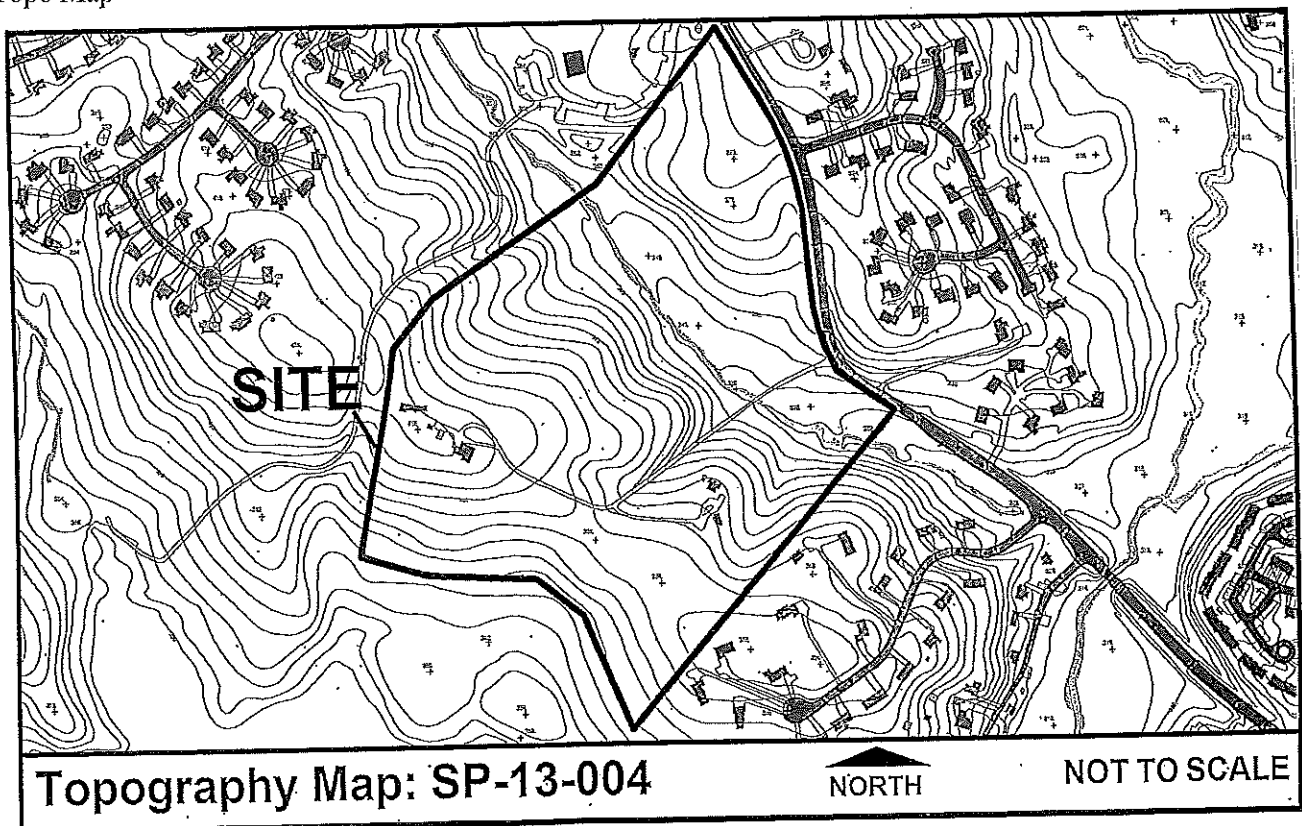
Environmental Characteristics – A perennial stream crosses north to south within the northern portion of the property, creating two natural separated buildable sections. This stream valley also consists of 100 Year Flood Plain, steep slopes, wetlands, wetland buffers and 100' stream bank buffers, all of which will be located on Open Space Lots 95 and 96. The southern public access road (Wellford Drive) from Old Annapolis Road will cross these features, however, disturbance of this area is considered essential for construction of the public road, as well as, installation of public sewer, utilities, storm drainage and outfalls, since no other access to the southern section is possible. Approximately 39 Specimen Trees of 30" in diameter or greater have been identified on the property of which removal of 15 have been approved under WP-13-096 with 24 specimen trees remaining. The parcel contains 6.38 acres of forest outside of the 100 Year Flood Plain. Forest Conservation obligations will be fulfilled by the placement of 3.81 acres of on-site retention and 5.26 acres of on-site reforestation into an easement area.

Water and Sewer Service – This site is located within the Metropolitan District and will be served by public water and sewer facilities.

Wetlands, Streams and 100 Year Flood Plain – The site contains a 100 Year Flood Plain area of 3.04 acres located adjacent to a perennial stream which flows through the near center of the parcel in a southward direction. Wetlands are confined within the floodplain limits and along the edges of the perennial stream. The stream is protected with a 100' stream bank buffer and the wetlands with a 25' buffer. The development plan does not propose any disturbance to the 100 Year Flood Plain, wetlands, stream or their buffers except at that portion where construction of a public roadway and water, sewer and utility lines will be installed. All environmental features will be placed on open space lots.

Topography – The property is irregular in shape and contains .460 acres of steep slopes outside of the 100 Year Flood Plain. The topography rises from north to south and begins a westerly downward slope from approximately the center of the property. No grading is proposed on protected slopes of 25% or greater with a contiguous area of 20,000 sq. ft.. Construction disturbances will only occur on moderately sloping land located through the central portion of the site which is permitted by the Regulations.

Topo Map



Historic Landmarks: The subject property contains one historic home identified as HO 401/Squirrel Hill (not inventoried) to remain and will be located on Lot 79. Lot 79 will be approximately 16,500 sq. ft. in size and will have public road frontage.

Scenic Roads: This property does not have frontage on any scenic roads.

Existing Site Conditions: The property consists of 46.487 acres of land zoned R-20, located on the west side of Old Annapolis Road. Two dwellings and several storage sheds are located on this parcel. Existing forest is located towards the northeast corner of the site, and numerous specimen trees are situated throughout the parcel. The remainder of the parcel contains a mix of agricultural farm fields.

Forest Conservation: This site contains 6.38 acres of forest outside of the 100 Year Flood Plain of which 2.57 acres are to be cleared. The remaining 3.81 acres will be retained and an obligation of 5.26 acres of reforestation will be placed within forest conservation easements located on open space lots.

Setback Requirements: The following setbacks are required per the R-ED Zoning District –
20' setback for structures (front or side) from an internal street right-of-way
20' front yard setback for structures from a property line
7.5' side yard setback for structures from a property line
25' rear yard setback for structures from a property line
30' for structures in single family detached developments from project boundaries or per Section 108.F.3.b, 75' from project boundaries adjoining single family detached developments.

This project will comply with all required setbacks.

G. PROPOSED DEVELOPMENT PLAN:

Subdivision Plan – The development plan consists of 93 single family detached residential lots and 17 open space lots. Lot sizes will range from 6,300 sq.ft. to 10,700 sq.ft., with Lot 72 consisting of 14,000 sq.ft. and Lot 79 consisting of 16,500 sq.ft., both of which will retain existing homes. A majority of lots will have rear yards that abut open space areas. Several pathways between lots located to the west will be installed to provide easy pedestrian access to Centennial Park. Sidewalks will be provided on both sides of proposed interior roadways and will extend northward along the frontage of Old Annapolis Road from proposed Wellford Drive to Centennial Park. Due to the existing topography and location of several specimen trees, a 5' wide macadam pathway will be installed from Wellford Drive eastward along the frontage of Old Annapolis Road to the adjoining parcel (Parcel 321) in lieu of a concrete sidewalk. Storm water management will be provided on-site for this subdivision by construction of several bio- retention facilities.

Neighborhood Preservation Density Exchange for Infill Development – The subject property is being developed pursuant to Section 108.F.3 of the Zoning Regulations which permits land in the R-20 Zoning District to be subdivided in accordance with the R-ED Zoning Regulations if the property is:

1. Subdivided for single family detached residential lots, and
2. The combined total lot area is more than 100,000 sq.ft. (2.3 acres), and
3. Structures are required to be setback 75 feet from the project boundaries where adjoining single family detached structures, and
4. The development is subject to the R-ED Zoning Regulations including the requirement for Planning Board review.

In accordance with Sections 108.F and 128.L of the Zoning Regulations, a parcel of 11 acres or greater in size in the R-20 Zoning District may be developed as a receiving parcel for additional density in association with Density Exchange for a Neighborhood Preservation Easement sending parcel at a bonus of up to 10% more dwelling units than would be achievable based on net density using the R-ED Zoning Regulations.

This subdivision is proposed to receive 8 density exchange units which will be exchanged and recorded under the final plan submission for this project. This subdivision proposal complies with all of the above Zoning Regulation requirements of the R-ED Zoning Regulations and Neighborhood Preservation Density Exchange regulations.

Forest Conservation – The developer has submitted the required Forest Conservation Plan identifying existing forest to be protected and areas of proposed reforestation planting. This project complies with the Forest Conservation requirements of the Howard County Code with the retention of existing forest in the amount of 3.81 acres and 5.26 acres of proposed on-site reforestation for a total of 9.07 acres of Forest Conservation easements.

Landscaping – This project will comply with the perimeter and street tree landscaping requirements of the Landscape Manual. Perimeter landscaping requirements will be primarily addressed through the retention of existing trees located on open space lots and by additional plantings.

Adequate Public Facilities - The Development Engineering Division approved the Adequate Public Facilities Ordinance (APFO) road test for vicinal road intersection adequacy within 1.5 miles from the site access on 3-14-13. This project is located in the Established Community Planning Area, the North School Region, the Burleigh Manor Middle School District and the Centennial Lane Elementary School District.

II. Planning Board Criteria: In accordance with Section 107.E.6. of the Zoning Regulations, the following criteria must be considered by the Planning Board when evaluating this Preliminary Equivalent Sketch Plan which is being developed pursuant to the “R-ED” Zoning Regulations –

1. **The proposed lay-out of lots and open space effectively protects environmental and historic resources.** The development plan will establish 17 open space lots totaling 23.504 acres. An open space lot dedicated to Howard County will encircle the southern lots and adjoins Centennial Park to the west and south. Open space lots dedicated to the Homeowner’s Association will encircle the lots to the north and also adjoin Centennial Park to the west. All environmental features and proposed forest conservation easements will be placed within open space areas, thus ensuring their protection by effectively taking advantage of existing topography and limiting the extent of clearing and grading.

One historic home is located on the site, identified as HO 401/Squirrel Hill, to be situated on proposed Lot 79. This lot will be the largest lot in the subdivision at 16,565 sq.ft. in size, which will allow the house to be protected from impact of the proposed development. Lot 79 will be surrounded by perpetual open space land dedicated to a Homeowner’s Association which further safeguards the integrity of the historic structure and allows the house to become a focal point from the proposed public street. This plan was reviewed by the Historic District Commission and approved on June 7, 2012, with no comments. There are no cemeteries or burial sites located on the property.

This development plan accomplishes protection of the environmental and historic resources on site by employing the following design techniques:

The site is bisected by a strip of environmental features consisting of a perennial stream, wetlands, their buffers, 100 Year Flood Plain, steep slopes and existing forest. Protection of these features will be ensured by their placement into open space lots dedicated to both Howard County and the Homeowner’s Association. The developer has made every attempt to save specimen trees where possible by limiting the area of disturbance, relocating water, sewer and utility easements, shifting road alignments and the redesign of lot layout to save specimen trees. Perimeter landscaping, on-site Forest Conservation Retention and Planting Easement areas, street tree plantings and the saving of a majority of specimen trees will serve to mitigate proposed specimen tree removal approved under WP-13-096.

The northern portion of the property will be developed into 23 building lots having frontage onto a T-shaped public street that accesses onto Old Annapolis Road and of which ends into northern and southern cul-de-sacs. These lots will be totally encompassed by open space which abuts Centennial Park to the west. No grading in the environmental features will be necessary on this portion of the site, except to install public water, sewer and utility lines of which disturbance is considered essential.

The southern portion of this site will be developed into 70 building lots having frontage onto a public street which loops into a circle and accesses directly onto Old Annapolis Road. A section of environmental features will be disturbed by the construction of the public street, as well as, installation of public water, sewer and utility lines, all of which are considered essential disturbance. Maryland Department of the Environment Permits will be obtained as applicable for crossing of the perennial stream.

Environmental and historic resources will additionally be preserved by:

- The clustering of lots away from the steep slopes, wetlands, streams and their buffers.
- Maintaining proposed lot sizes close to the minimum lot size requirement of 6,000 sq.ft.
- Maximizing open space with the establishment of 50% open space areas.

2. Buildings, parking, roads, storm water management facilities and other site features are located to take advantage of existing topography and to limit the extent of clearing and grading as follows:

Proposed lots will be situated on moderately sloped areas of the site, will be close to the minimum lot size and are clustered around open space areas. This design allows for the effective protection and preservation of the environmental features and reduces the area of grading. Storm water management will be provided by bio-retention facilities located throughout the open space areas. A small area of disturbance will occur to the environmental features for the installation of culverts for construction of the southern public street from Old Annapolis Road. This is the best possible solution in reaching the southern portion of the site since no other road frontage is available. No disturbance of steep slopes of 25% or greater with a contiguous area of 20,000 sq.ft. or greater is proposed.

The proposed subdivision plan design has been determined adequate in taking advantage of the uniqueness of the site's topography by limiting the amount of grading and clearing necessary to construct the homes, public roads, storm water management facilities and public utilities.

3. Setbacks, landscaped buffers or other methods are proposed to buffer the development from existing neighborhoods or roads, especially from designated scenic roads or historic districts.

This site is not located within a designated historic district nor does it front on a scenic road.

A 75' project boundary setback is required from the road right-of-way of Old Annapolis Road and an additional 25' rear yard building restriction line from the lot lines will be recorded on those lots which back up to Old Annapolis Road. An open space lot of approximately 35' in width will be provided between the rear yards of these lots and along the entire frontage of Old Annapolis Road. This open space will buffer the homes from Old Annapolis Road and will also be planted with a Type B Perimeter Landscape Buffer (1 shade/50'; 1 evergreen/40') which will further screen the rear yards of the lots from the public roadway.

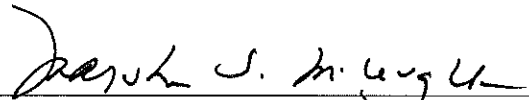
Substantial Forest Conservation Easements of retention and plantings will be provided along the remainder of the project boundary to the south and west, situated on open space lots located between adjoining properties and proposed building lots. Additionally, a Type A Landscape Buffer (1 shade/60') will be planted along the perimeter of the site where applicable. This project will meet the minimum requirements of the Howard County Landscape Manual for perimeter, landscaping, bio-retention facilities, corner lot buffering, trash pad screening and street tree plantings.

SRC ACTION:

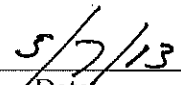
The Subdivision Review Committee (SRC) has determined that this plan may be approved, however, this project has failed the Open/Closed Schools Test and will be placed on hold awaiting an open school district.

RECOMMENDATION:

The Department of Planning and Zoning recommends that the Planning Board approve the Preliminary Equivalent Sketch Plan for this project subject to compliance with SRC review comments and any conditions or comments from the Planning Board.



Marsha S. McLaughlin, Director
Department of Planning and Zoning



Date

The Preliminary Equivalent Sketch Plan file is available for public review at the Public Service Counter of the Department of Planning and Zoning, Monday through Friday, during normal working hours.

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